

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GRANTLEY BRATHWAITE,  
Plaintiff,  
-against-  
CITY OF NEW YORK, et al.,  
Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 7/1/21

19-CV-9235 (PGG) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

For the reasons discussed at the July 1, 2021 discovery conference, defendants' letter-motion to compel the production of additional documents and information in response to their written discovery requests (Dkt. No. 45) is GRANTED IN PART and DENIED IN PART, as follows:

1. **Housing and Immigration Status Documents.** No later than **July 22, 2021**, plaintiff shall produce all responsive documents he is able to locate through a reasonably diligent search in response to defendants' Requests for Production (RFPs) 3 and 4, and shall sign and deliver the release(s) requested by defendants covering his federal immigration file and records from his immigration attorney(s). If after a reasonably diligent search plaintiff cannot locate any further responsive documents, he shall, by the same deadline, so state in writing.
2. **Criminal Releases.** No later than **July 22, 2021**, plaintiff shall sign and deliver the blanket release under Criminal Procedure Law §§ 160.50 and 160.55 requested by defendants in RFP 27. Absent agreement of the parties or further order of the Court, defendants shall utilize the release only to obtain plaintiff's "unsuppressed rap sheet."
3. **Healthcare Information.** In light of the binding representation made by plaintiff's counsel during the conference that plaintiff's emotional distress claim is limited to "garden variety" emotional distress, plaintiff need not provide further responses to

defendants' Interrogatory No. 19.

4. **Verified Interrogatory Responses.** No later than **July 22, 2021**, plaintiff shall sign his answers to defendants' interrogatories under oath pursuant to Fed. R. Civ. P. 33(b)(5).
5. **Haggerty Deposition.** The parties shall promptly meet and confer in good faith concerning the deposition of Detective Sean Haggerty and shall file a joint status letter, no later than **July 8, 2021**, updating the Court as to whether or under what conditions the deposition will go forward. If there is a dispute concerning that deposition, the parties shall set forth their respective views, without extended argument, in the letter. In lieu of disclosing detailed information concerning Det. Haggerty's health on the public docket, the parties may either request that the letter be filed under seal (*see* Moses Ind. Prac. § 3) or request a telephone conference with the Court.

Dated: New York, New York  
July 1, 2021

**SO ORDERED.**



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**BARBARA MOSES**  
**United States Magistrate Judge**